

REMARKS

Claim Status

Claim 17 is pending in the application. Claim 17 is now amended to recite the dissolution control agents of Claim 20, and Claim 20 is cancelled as redundant. Entry of the Amendment is requested.

Formal Matters

For the record, no objections or rejections under 35 USC 112 are outstanding.

Rejections under 35 USC 103

Claims 17 and 20 stand rejected over US 6,632,347 in view of US 5,106,465, and further in view of US 4,542,008, for reasons of record at page 3 of the Office Action.

Claims 17 and 20 also stand rejected over US 6,306,281 in view of '008 and further in view of '347 and further in view of '465, for reasons of record at pages 3-4 of the Office Action.

Applicants respectfully traverse all rejections, to the extent they may apply to Claim 17, as now amended.

Previous arguments made in support of patentability continue to apply, but will not be repeated herein for the sake of brevity.

As the Examiner is aware, obviousness requires a suggestion of all limitations in a claim. *CFMT, Inc. v. Yieldup International Corp.*, 68 USPQ 2d 1940, 1947 (Fed. Cir. 2003).

As previously noted, none of the cited documents, nor any combination thereof, suggests the slow dissolving tablet element of the present invention.

The Examiner attempts to counter this position by citing MPEP 2115 for the proposition that the "material worked upon by a structure being claimed does not impart patentability to the claims." (Office Action, page 3.)

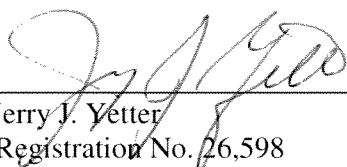
Applicants must respectfully disagree with this analysis. As recited in Claim 17, the tablet provides slow release of the halogen dioxide salt by virtue of a controlled release agent. That released salt then provides the halogen dioxide feed solution upon which the electrolysis cell acts.

Nothing in the specification or claim suggests that the electrolysis acts on the specified tablet element. Rather, the tablet element is recited as and, in fact, is, part of the operational device itself. Accordingly, MPEP 2115 does not apply.

In light of the foregoing and the arguments previously made, it is again submitted that no combination of the cited documents teaches or suggests all elements of Claim 17. In particular, no tablet comprising the now-listed solubility control agents is suggested as part of an operational halogen dioxide generating system of the present type. Reconsideration and withdrawal of all rejections under §103 are requested.

Respectfully submitted,

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